

**CITY of BURIEN**  
**Department of Community Development**  
**Interpretation # 99-02**

**Subject:** Process for SEPA Threshold Determinations

**Purpose:** This interpretation is intended to clarify the process for issuance of a SEPA Threshold Determination, in light of BMC 19.65 (new Zoning Code).

**Discussion:**

On June 1, 1998, the City Council passed Ordinance 220, which adopted King County's environmental procedures (King County Code Chapter 20.44) by reference. KCC 20.44 contains procedures for processing SEPA threshold determinations, including procedures for public notice and appeals.

On June 7, 1999, the City Council passed Ordinance 252 which adopted Phase 1 of the new Zoning Code (BMC Title 19). BMC 19.65.020.2 states that all SEPA threshold determinations shall be processed as a Type 1 review. Other sections of BMC 19.65 provide instructions for processing of Type 1 reviews, including notice and appeal procedures. In some cases, the regulations of BMC 19.65 and KCC 20.44 conflict, or are redundant.

The intent of both SEPA and RCW 36.70B (Regulatory Reform Act) is to consolidate permit review procedures and minimize duplication.

**Conclusions:**

It is my interpretation that SEPA threshold determinations shall be processed in accordance with both BMC 19.65 and KCC 20.44. Where regulations conflict or are redundant, the provisions of BMC 19.65 shall apply.

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Robert G. Odle  
Community Development Director

June 22, 1999  
Date